

04 NCAC 24B .1001 is proposed for amendment as follows:

04 NCAC 24B .1001 NOTICE TO CLAIMANT OF REFERRAL TO TOP

(a) Consistent with 31 U.S.C. 3716, DES shall notify ~~each~~ the claimant by mail of its intent to refer the debt to the Treasury Offset Program (TOP) at least 60 days before submitting the debt to TOP.

(b) ~~Each~~ The notice shall include:

(1) the claimant's name;

(2) the type of debt;

(3) the total amount of the referred debt;

(4) the total amount of the claimant's debt owed to DES;

~~(4)(5)~~ the total amount of fees, as applicable;

~~(5)(6)~~ the amount of assessed penalties, as applicable;

~~(6)(7)~~ a citation to the legal authority that permits collection of the debt through TOP;

~~(7)(8)~~ a ~~clear~~ statement of DES's intention to collect the debt through administrative offset;

~~(8)(9)~~ a statement that the claimant may request a copy of DES's records that support the ~~debt pursuant to Subchapter 04 NCAC 24A;~~ debt;

~~(9)(10)~~ a statement of the claimant's right to request that DES reevaluate the debt;

~~(10)(11)~~ the time period ~~in which request~~ and procedure for requesting a reevaluation shall be made; pursuant to 04 NCAC 24A .0104(j);

(12) a statement that failure to request a reevaluation within the required time shall result in referral of the debt;

~~(11)(13)~~ a statement of the claimant's right to request to enter into a written repayment agreement with DES;

(14) instructions for paying the debt;

~~(12)(15)~~ a mailing address ~~to which~~ where payments shall be sent;

~~(13)(16)~~ a mailing address and facsimile number to request a reevaluation of the debt;

~~(14)(17)~~ a telephone number for the claimant to seek information regarding the notice; and

~~(15)(18)~~ the date that the notice was mailed to the ~~claimant;~~ and claimant.

~~(16)~~ instructions for paying the debt.

(c) Claimants choosing to repay the debt after receiving notice shall make payment to DES ~~payable to Division of Employment Security and mail to Benefit Payment Control (BPC) Unit, Post Office Box 25903, Raleigh, NC 27611.~~ or remit by credit card on DES's website at www.ncesc.com, or by calling BPC at (919) 707-1338; in accordance with 04 NCAC 24A .0104(z).

History Note: Authority G.S. 96-4; 96-18; 31 CFR 285; ~~26 U.S.C. 6402~~; 31 U.S.C. 3716;

Eff. July 1, 2015;

Amended Eff. July 1, 2018.